

Review Staff: 75/3641

11 December 1975

MEMORANDUM FOR: DD/S&T
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OGC
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SUBJECT : Disposition of HSC and SSC Records

1. Attached is a draft proposal for a resolution for the Senate, providing how it will provide for the records collected during the current investigations.

2. A community committee is to be formed to address this question, to produce a recommendation for the ICG. The draft was prepared by OGC, and is intended to provide for secure storage and procedures for future handling of the materials.

3. It would be appreciated if you have any comments on the approach incorporated in the attached draft. We propose to have a meeting with the community committee next week, and if this is acceptable it would be tabled at that time.

Chief, Review Staff

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10 December 1975

Resolved, That all materials containing classified information, books, checks, canceled checks, correspondence, communications, documents, financial records, papers, physical evidence, testimony, depositions, records, recordings, tapes and all other materials furnished by agencies and departments of the executive branch of the Federal Government to the Select Committee To Study Governmental Operations With Respect To Intelligence Activities established under Senate Resolution 21 of the 94th Congress, agreed to January 27, 1975, plus all documents, working notes and other materials generated by the Senate Select Committee which are based on classified materials from agencies and departments of the executive branch of the Federal Government, shall be transferred upon the termination of the current Select Committee's mandate to the National Archives, and there to be held in secure storage as described below in section 2 with access being limited to persons or organizations in the manner described below in section 3.

Sec. 2(a). All materials furnished the National Archives for secure storage by the Senate Select Committee shall be stored in a secure area or areas physically segregated and enclosed from all other areas in which materials are stored at the National Archives.

Sec. 2(b). All materials furnished the National Archives for secure storage by the Senate Select Committee shall be further segregated within the secure storage area or areas so as to physically compartmentalize and separate all documents, working notes and other materials generated by the Senate Select Committee which are based on classified materials from agencies and departments of the executive branch of the Federal Government. All other classified materials held by the Senate Select Committee shall also be compartmentalized into separate areas segregated according to the sending agency or department that furnished the materials to the Senate Select Committee.

Sec. 3. Access to the materials furnished the National Archives by the Senate Select Committee and held by the National Archives in secure storage shall be limited to the specific instances described below.

Sec. 3(a). Access to the materials furnished by the Senate Select Committee to the National Archives for secure storage shall be limited to the duly designated legislative and appropriations oversight committee or committees and appropriate staff members of that committee or committees as designated by the Chairman of the duly designated legislative and appropriations oversight committee or committees, and to congressional committees or subcommittees other than those duly designated legislative and appropriations oversight committee or committees subject to the joint concurrence of the duly designated oversight committee or committees and the originating agency or department.

Sec. 3(b). Access to the materials furnished the Senate Select Committee by an individual agency, organization or department, other than that access provided for in subsection a, supra, shall be subject to the control and approval of the originating agency, organization or department.

Sec. 4. Requests for access to the materials furnished the National Archives by the Senate Select Committee and held by the National Archives in secure storage, shall be made to the National Archives by (1) the Chairman of the duly designated oversight committee or committees or his appointed representative; or, (2) a representative designated by each originating agency, organization or department who shall also be responsible for insuring that the proper compartmentalized clearances exist for the person for whom access is requested.

Sec. 5. Eventual downgrading or declassification of the classified materials furnished to the National Archives by the Senate Select Committee shall be the responsibility of the agency or department originating the classification.